

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE CRUZ AND HENDRO WINOTO,

Plaintiffs,

vs.

BRANDON QUANG AND NCBI INVESTMENT,  
INC.,

Defendants.

Case No.: 13-cv-00181-YGR

**ORDER TO SHOW CAUSE WHY MOTION TO  
AMEND TO ADD INDIVIDUAL DEFENDANTS  
SHOULD NOT BE DENIED**


**TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:**

You are hereby **ORDERED TO SHOW CAUSE** in writing no later than October 18, 2013, why plaintiffs' Motion For Leave To Amend (Dkt. No. 29) to add Shao Rong Zhang, Hardiato Go, and Zhou Xian Chen as defendants to all Plaintiffs' state law claims should not be denied as futile. *See Martinez v. Combs*, 49 Cal.4th 35, 66 (2010) (individuals acting as agents of "employer" not liable for wage violations); *see also Reynolds v. Bement*, 36 Cal.4th 1075 (2005) (same). Otherwise, the Court is inclined to grant leave to add Hendro Winoto as a plaintiff to all state law claims, and to add Shao Rong Zhang, Hardiato Go, and Zhou Xian Chen as defendants to the Fair Labor Standards Act claim.

A hearing on this Order to Show Cause shall be held on **Tuesday, November 5, 2013**, on the Court's 2:00 p.m. calendar, in Courtroom 5, U.S. District Courthouse, 1301 Clay Street, Oakland, California. If the Court is satisfied with Plaintiffs' counsel's response, it will consider taking the Order to Show Cause hearing off calendar.

**IT IS SO ORDERED.**

Date: October 4, 2013

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE